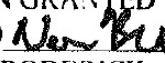


**Via ECF**

Hon. Vernon S. Broderick  
U.S. District Court for the Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, NY 10007

APPLICATION GRANTED  
SO ORDERED   
VERNON S. BRODERICK  
U.S.D.J. 3/23/2020

Defendant Wilmington Trust N.A.'s motion for partial summary judgment is administratively denied with leave to refile should the parties fail to finalize their settlement. The Clerk is directed to terminate the open motion at Document 84.

Re: ***Scalia v. Wilmington Trust, N.A.***, No. 1:17-cv-6325-VSB-KNF  
**Sixth Joint Letter re: Notice of Settlement in Principle and Request to Extend Deadlines**

Dear Judge Broderick:

Plaintiff Eugene Scalia, U.S. Secretary of Labor, and Defendant Wilmington Trust, N.A., write to request a sixth—and they hope final—extension of the briefing schedule on Wilmington's Motion for Partial Summary Judgment so that the parties can continue negotiating final aspects of their settlement. The Court most recently extended the briefing schedule such that the Secretary's opposition brief is due on March 28, 2020 and Wilmington's reply is due on April 18, 2020. Dkt No. 99. The parties continue to engage in high-level negotiations over the few outstanding issues that have been hindering a final agreement, and hope to reach a final accord soon. Accordingly, the parties request that the Court extend the briefing schedule on Wilmington's Motion for Partial Summary Judgment such that Secretary's opposition brief would be due on April 30, 2020, and Wilmington's reply would be due on May 21, 2020.

Respectfully Submitted,

/s/ Jeffrey Hahn  
Stephen Silverman  
Robert L. Furst  
Kira Hettinger  
Jeffrey Hahn  
Office of the Solicitor  
U.S. Department of Labor  
P.O. Box 1914  
Washington, D.C. 20013  
Tel: (202) 693-5623  
Fax: (202) 693-5610  
Email: hahn.jeffrey.m@dol.gov  
*Attorneys for the Secretary*

/s/ Michael Prame  
Michael Prame  
Mark Nielsen  
Andrew Salek-Raham  
GROOM LAW GROUP, CHARTERED  
1701 Pennsylvania Ave. NW  
Washington, DC 20006  
Telephone: (202) 861-0620  
Facsimile: (202) 659-4503  
Email: mnielsen@groom.com  
*Attorneys for Wilmington Trust, N.A.*